

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

BENJAMIN SHERWOOD,

Defendant.

CASE NO. CR20-0155-JCC

ORDER

This matter comes before the Court on the parties' stipulated motion to continue trial and the pretrial motions deadline (Dkt. No. 36). Having thoroughly reviewed the motion and the relevant record, the Court GRANTS the motion for the reasons described below.

Trial in this matter is currently set for November 29, 2021; pretrial motions were due October 18, 2021. (Dkt. No. 30.) Defendant seeks a continuance of the trial date, citing the substantial amount of discovery in the case and the need for time to make strategic decisions once the Court rules on Defendant's pending motion for a bill of particulars (Dkt. No. 31) in order to adequately prepare for trial (Dkt. No. 36 at 2). Defendant indicates that the Government does not oppose his request for continuance and that he is "prepared to file a speedy trial waiver encompassing any trial date the Court sets." (*Id.* at 3.) Based on the foregoing, the Court FINDS as follows:

1. The ends of justice served by granting the requested continuance outweigh the

1 best interests of Defendant and the public to a speedier trial. *See* 18 U.S.C. § 3161(h)(7)(A).

2 2. Taking into account the exercise of due diligence, the failure to grant the
3 continuance would deny defense counsel the reasonable time necessary for effective preparation,
4 *see* 18 U.S.C. § 3161(h)(7)(B)(iv), and would likely result in a miscarriage of justice, *see* 18
5 U.S.C. § 3161(h)(7)(B)(i).

6 3. The ends of justice will be served by ordering a continuance in this case, as a
7 continuance is necessary to ensure adequate time for the defense to review discovery and
8 effectively prepare for trial.

9 IT IS THEREFORE ORDERED that the trial date shall be continued to March 14, 2022,
10 and that the pretrial motions deadline is reset to February 11, 2022.

11 IT IS FURTHER ORDERED that the resulting period of delay from the filing of the
12 motion to continue to the new trial date is hereby excluded for speedy trial purposes under 18
13 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(i), (iv).

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15 DATED this 19th day of October 2021.

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19 John C. Coughenour
20 UNITED STATES DISTRICT JUDGE
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